

Docket No. 22956-260  
(MIT5032USNP)  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

\_\_\_\_\_  
In re Patent Application of:

Stephanie M. Kladakis et al.

Application No. 10/775,034

Confirmation No. 6915

Filed: February 9, 2004

Art Unit: 3738

For: Scaffolds With Viable Tissue

Examiner: Brian E. Pellegrino

I hereby certify that this correspondence is being filed via EFS Web on the date shown below.

Dated: March 10, 2011

Signature: /Christopher Stow/  
(Christopher Stow)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT (IDS)**

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

The Dialog English language abstract of DE 19812195 was previously submitted in the IDS filed on February 26, 2010 without listing a publication date. This reference is listed again on the enclosed PTO/SB/08 with its publication date. A shorter English-language abstract of DE 19812195 was provided along with the reference itself in the IDS filed on January 14, 2010. The undersigned respectfully requests that the Examiner consider the reference and its abstracts.

Applicant(s) have become aware of an additional non-patent literature reference cited in a Japanese Office Action issued February 8, 2011 in a related case, Japanese Patent Application No. JP 2004-233655. In accordance with 37 CFR 1.97(b)(4), Applicant(s) hereby submit this document for the Examiner's consideration. The document is cited on the enclosed PTO/SB/08. A copy of the Japanese Office Action is not submitted herewith.

Applicant(s) also direct the Examiner's attention to the following co-pending and granted patent applications, the prosecution of which may be relevant to the present application.

- Appl. No. 10/729,046 of Harmon et al., now U.S. Patent No. 7,901,461 (see Office Actions dated June 17, 2005, December 19, 2005, March 7, 2006, May 15, 2006, November 8, 2006, February 23, 2007, May 24, 2007, March 27, 2008, August 18, 2008, October 2, 2008, March 25, 2009, July 27, 2009, November 3, 2009, Notices of Allowance dated June 15, 2010, September 29, 2010, and October 7, 2010)
- Appl. No. 10/723,982 of Binette et al., now U.S. Patent No. 7,316,822 (see Office Actions dated July 27, 2006, January 4, 2007, April 18, 2007, May 16, 2007, and Notice of Allowance dated August 17, 2007)
- Appl. No. 10/374,754 of Binette et al., now U.S. Patent No. 7,824,701 (see Office Actions dated March 24, 2006, September 1, 2006, February 26, 2007, May 15, 2007, September 1, 2007, March 18, 2008, September 16, 2008, December 4, 2008, September 9, 2009, December 18, 2009, and Notice of Allowance dated June 21, 2010)
- Appl. No. 10/374,772 of Gosiewska et al., now abandoned (see Office Actions dated April 19, 2006, September 14, 2006, May 16, 2007, December 3, 2007, February 29, 2008, September 2, 2008, February 27, 2009, June 8, 2009, January 4, 2010 and BPAI decision dated September 22, 2010)
- Appl. No. 10/828,838 of Dhanaraj et al. (see Office Actions dated May 4, 2007, December 31, 2007, March 19, 2008, June 24, 2008, October 16, 2008, March 12, 2009, July 21, 2009, October 30, 2009, March 10, 2010, September 2, 2010, October 14, 2010 and Notice of Allowance dated May 25, 2010)
- Appl. No. 11/427,477 of Dhanaraj et al. (see Office Actions dated August 8, 2008, January 15, 2009, March 24, 2009, September 28, 2009, March 10, 2010, October 19, 2010 and Notice of Allowance dated June 8, 2010)
- Appl. No. 10/610,362 of Malaviya et al. (see Office Actions dated August 9, 2005, February 3, 2006, April 14, 2006, July 31, 2006, February 5, 2007, April 12, 2007, August 8, 2007, January 28, 2008, July 11, 2008, October 10, 2008, April 28, 2009, July 13, 2009, October 15, 2009, March 26, 2010 and July 14, 2010)

- Appl. No. 09/747,488 of Bowman et al., now U.S. Patent No. 6,852,330 (see Office Actions dated October 22, 2002, March 12, 2003, July 28, 2003, February 12, 2004 and Notice of Allowance dated September 28, 2004)
- Appl. No. 10/022,182 of Melican et al., now abandoned (see Office Actions dated November 17, 2003, May 5, 2004, November 26, 2004, and June 16, 2005)
- Appl. No. 10/320,751 of Binette et al., now U.S. Patent No. 6,884,428 (see Office Action dated May 3, 2004 and Notice of Allowance dated October 20, 2004)
- Appl. No. 11/280,189 of Bowman et al. (see Office Actions dated September 15, 2009, March 3, 2010 and August 19, 2010)
- Appl. No. 10/638,562 of Binette et al. (see Office Actions dated December 9, 2005, August 23, 2006, November 9, 2006, January 11, 2007, July 9, 2007, September 26, 2007, January 11, 2008, October 9, 2008, January 28, 2009, June 19, 2009, January 15, 2010, and April 22, 2010)
- Appl. No. 11/947,384 of Binette et al., now U.S. Patent No. 7,875,296 (see Notice of Allowance dated September 13, 2010)
- Appl. No. 10/458,615 of Melican et al., now abandoned (see Office Actions dated September 27, 2005, February 22, 2006, May 31, 2006, November 27, 2006, and May 30, 2007)
- Appl. No. 12/887,011 of Binette et al. (see Office Action dated February 2, 2011)
- Appl. No. 12/951,205 of Binette et al. (see Office Action dated February 25, 2011)
- Appl. No. 12/980,544 of Binette et al. (no Office Action issued)
- Appl. No. 13/018,900 of Harmon et al. (no Office Action issued)

This Information Disclosure Statement is filed before the mailing date of an Office Action after the filing of a request for continued examination as far as is known to the undersigned (37 CFR 1.97(b)(4)).

In accordance with 37 CFR 1.98(a)(2)(ii), Applicant has not submitted copies of U.S. patents and U.S. patent applications. Applicant submits herewith copies of foreign patents and non-patent literature in accordance with 37 CFR 1.98(a)(2).

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information

as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56 (b).

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

No fee is believed to be due with this filing. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 141449, under Order No. 22956-260.

Respectfully submitted,

Dated: March 10, 2011

By: /Christopher Stow/  
Christopher Stow  
Registration No.: 67,003  
NUTTER MCCLENNEN & FISH LLP  
Seaport West  
155 Seaport Boulevard  
Boston, Massachusetts 02210-2604  
(617) 439-2000  
(617) 310-9000 (Fax)  
Attorney for Applicant